

House Engrossed Senate Bill

State of Arizona  
Senate  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 219

# SENATE BILL 1160

AN ACT

AMENDING SECTIONS 32-3605 AND 32-3632, ARIZONA REVISED STATUTES; RELATING TO  
THE STATE BOARD OF APPRAISAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-3605, Arizona Revised Statutes, is amended to  
3 read:

4 32-3605. State board of appraisal; duties

5 A. The board shall adopt rules in aid or in furtherance of this  
6 chapter.

7 B. The board shall:

8 1. In prescribing standards of professional appraisal practice, adopt  
9 standards ~~which~~ THAT at a minimum are equal to the standards prescribed by  
10 the appraisal subcommittee.

11 2. In prescribing criteria for certification, adopt criteria which  
12 THAT at a minimum are equal to the minimum criteria for certification issued  
13 by the appraiser qualification board of appraisal foundation and adopted by  
14 the appraisal subcommittee.

15 3. In prescribing criteria for licensing, adopt criteria ~~which~~ THAT  
16 at a minimum are equal to the minimum criteria for licensing adopted by the  
17 appraisal subcommittee.

18 4. Further define by rule with respect to state licensed or state  
19 certified appraisers appropriate and reasonable educational experience,  
20 appraisal experience and equivalent experience that meets the statutory  
21 requirement of this chapter.

22 5. Establish the examination specifications for state certified  
23 appraisers, provide or procure appropriate examination questions and answers,  
24 administer examinations and establish procedures for grading examinations  
25 consistent with and equivalent to the standards for examination prescribed  
26 or endorsed by the appraiser qualification board of the appraisal foundation  
27 and adopted by the appraisal subcommittee.

28 6. Establish the examination specifications for state licensed  
29 appraisers, provide or procure appropriate examination questions and answers,  
30 administer examinations and establish procedures for grading examinations  
31 consistent with and equivalent to the standards adopted by the appraisal  
32 subcommittee.

33 7. Establish administrative procedures for approving or disapproving  
34 applications for licensure and certification and issuing LICENSES AND  
35 certificates.

36 8. Define by rule, with respect to state licensed and certified  
37 appraisers, the continuing education requirements for the renewal of licenses  
38 or certificates that satisfy the statutory requirements provided in this  
39 chapter.

40 9. Periodically review the requirements for the development and  
41 communication of appraisals provided in this chapter and adopt rules  
42 explaining and interpreting the requirements.

1        10. ~~Establish~~ DEFINE AND EXPLAIN BY RULE EACH STAGE AND STEP ASSOCIATED  
2 WITH THE administrative procedures for THE disciplinary proceedings conducted  
3 PROCESS pursuant to this chapter. INCLUDING:

4        (a) PRESCRIBING MINIMUM CRITERIA FOR ACCEPTING A COMPLAINT AGAINST A  
5 LICENSED OR CERTIFIED APPRAISER.

6        (b) DEFINING THE PROCESS AND PROCEDURES USED IN INVESTIGATING THE  
7 ALLEGATIONS OF THE COMPLAINT.

8        (c) DEFINING THE PROCESS AND PROCEDURES USED IN HEARINGS ON THE  
9 COMPLAINT, INCLUDING A DESCRIPTION OF THE RIGHTS OF THE BOARD AND ANY PERSON  
10 WHO IS ALLEGED TO HAVE COMMITTED THE VIOLATION.

11        (d) ESTABLISHING CRITERIA TO BE USED IN DETERMINING THE APPROPRIATE  
12 ACTIONS FOR VIOLATIONS.

13        11. COMMUNICATE INFORMATION THAT IS USEFUL TO THE PUBLIC AND APPRAISERS  
14 RELATING TO ACTIONS FOR VIOLATIONS.

15        ~~11.~~ 12. Censure, suspend and revoke licenses and certificates pursuant  
16 to the disciplinary proceedings provided for in section 32-3631.

17        ~~12.~~ 13. Annually transmit to the federal financial institutions  
18 examination council appraisal subcommittee a roster listing individuals who  
19 have received a state certificate or license in accordance with this chapter.

20        ~~13.~~ 14. Report on the disposition of any matter referred by the  
21 appraisal subcommittee or any other federal agency or instrumentality or  
22 federally recognized entity reporting any action of a state licensed or state  
23 certified appraiser that is contrary to this chapter.

24        ~~14.~~ 15. Make a determination and finding if there exists a scarcity  
25 of state certified or state licensed appraisers to perform appraisals in  
26 connection with federally related transactions in this state and issue  
27 resident temporary licenses and certificates pursuant to section 32-3626.

28        ~~15.~~ 16. Transmit the annual registry fee collected pursuant to section  
29 32-3607 to the federal financial institutions examination council.

30        ~~16.~~ 17. Establish the fees in accordance with the limits established  
31 in section 32-3607.

32        ~~17.~~ 18. Perform such other functions and duties as may be necessary  
33 to carry out this chapter.

34        C. The board may employ an executive director and other personnel and  
35 designate their duties. The executive director shall serve at the pleasure  
36 of the board.

37        D. The executive director shall not change or amend actions of the  
38 board.

39        Sec. 2. Section 32-3632, Arizona Revised Statutes, is amended to read:  
40 32-3632. Hearing and judicial review

41        A. The hearing on the charges shall be at a time and place prescribed  
42 by the board and shall be in accordance with title 41, chapter 6, article 10.

43        B. If the board determines that a state licensed or state certified  
44 appraiser is guilty of a violation of any of this chapter, it shall prepare

1 a finding of fact and recommend that the appraiser be reprimanded or that the  
2 appraiser's license or certificate be suspended or revoked TAKE DISCIPLINARY  
3 OR REMEDIAL ACTION.

4 C. Except as provided in section 41-1092.08, subsection H, any final  
5 decision or order of the board may be appealed to the superior court pursuant  
6 to title 12, chapter 7, article 6.

7 Sec. 3. Effective date

8 Section 32-3605, Arizona Revised Statutes, as amended by this act, is  
9 effective from and after August 1, 2002.

APPROVED BY THE GOVERNOR APRIL 23, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 24, 2001.



SENATE CONCURS IN HOUSE  
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 19, 2001,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

*Richard Smith*  
President of the Senate  
*Charmian Bellington*  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19 day of April, 2001,

at 4:00 o'clock P M.

*Jandra Ramirez*  
Secretary to the Governor

APPROVED THIS 23 day of

April, 2001,

at 6:38 o'clock P M.

*Janice K. Hull*  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 24 day of April, 2001,

at 4:50 o'clock P M.


*Patricia Gayles*  
Secretary of State

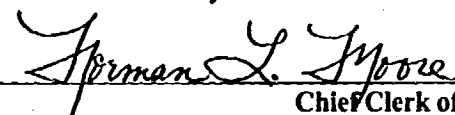
S.B. 1160

Passed the House April 12, 2001,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

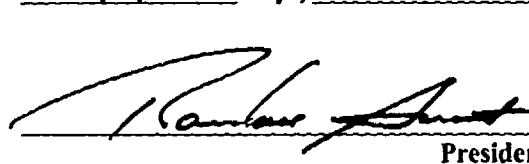
  
Speaker of the House

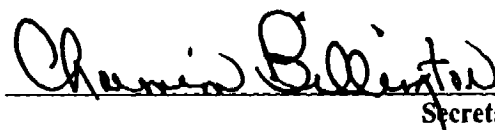
  
Chief Clerk of the House

Passed the Senate March 20, 2001,

by the following vote: 18 Ayes,

11 Nays, 0 Not Voting

  
President of the Senate

  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

           day of           , 20  ,

at            o'clock            M.

            
Secretary to the Governor

Approved this            day of

          , 20  ,

at            o'clock            M.

            
Governor of Arizona

S.B. 1160

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this            day of           , 20  ,

at            o'clock            M.

            
Secretary of State